

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PARENTS OF DANIELLE

Plaintiff,

vs.

Civil Action No. 04-10994-NMG

MASSACHUSETTS DEPARTMENT OF
EDUCATION, DAVID P. DRISCOLL,
COMMISSIONER and SCHOOL
COMMITTEE FOR THE TOWN OF
SHARON: SAM LIAO, ANDREW
NEBENZAHL, DONALD GILLIGAN, JANE
FURR, MITCH BLAUSTEIN, AND
SUZANNE PEYTON

Defendants,

**SCHOOL COMMITTEE DEFENDANTS'
MOTION TO DISMISS COMPLAINT**

The Defendants School Committee for the Town of Sharon and its members, Sam Liao, Andrew Nebenzahl, Donald Gilligan, Jane Furr, Mitch Blaustein, and Suzanne Peyton ("School Committee Defendants") pursuant to F.R.C.P. 41(b), hereby request that this Court dismiss the Complaint, with prejudice, based upon the Plaintiffs' failure to prosecute this action. In support of this motion, the School Committee Defendants rely upon the affidavit of Tammy L. Richardson and the memorandum of law filed herewith.

SCHOOL COMMITTEE FOR THE TOWN OF
SHARON: SAM LIAO, ANDREW NEBENZAHL,
DONALD GILLIGAN, JANE FURR, MITCH
BLAUSTEIN, AND SUZANNE PEYTON

By their attorneys,

T. Richardson

Barry L. Mintzer, BBO #348940
Tammy L. Richardson, BBO #567766
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of
the above document was served upon
the attorney of record for each party
by first-class mail/■ on this date.

T. Richardson

7-14-05